

**§ 535.503 Information form for Class A/B agreements.**

(a) The Information Form for Class A/B agreements, with accompanying instructions that are intended to facilitate the completion of the Form, is set forth in appendix A of this part. The instructions should be read in conjunction with the Shipping Act of 1984 and with this part 535.

(b) Modifications to Class A/B agreements that expand the geographic scope of the agreement or modifications to Class C agreements that change the class of the agreement from C to A/B must be accompanied by an Information Form for Class A/B agreements.

[61 FR 11575, Mar. 21, 1996, as amended at 64 FR 11240, 11243, Mar. 8, 1999]

**§ 535.504 Information form for Class C agreements.**

The Information Form for Class C agreements, with accompanying instructions that are intended to facilitate the completion of the Form, is set forth in appendix B of this part. The explanation and instructions should be read in conjunction with the Shipping Act of 1984 and 46 CFR part 535.

**§ 535.505 Application for waiver.**

(a) Upon a showing of good cause, the Commission may waive any part of the information form requirements of § 535.503 or § 535.504.

(b) A request for such a waiver must be approved in advance of the filing of the information form to which the requested waiver would apply. The Commission will take into account the presence or absence of shipper complaints in considering an application for a waiver. Requests for a waiver shall state:

- (1) The specific requirements from which relief is sought;
- (2) The special circumstances requiring the requested relief; and
- (3) Why granting the requested waiver will not substantially impair effective regulation of the agreement, either during pre-implementation review or during post-implementation monitoring.

**Subpart F—Action on Agreements****§ 535.601 Preliminary review—rejection of agreements.**

(a) The Commission shall make a preliminary review of each filed agreement to determine whether the agreement is in compliance with the filing requirements of the Act and this part and, where applicable, whether the accompanying Information Form is complete or, where not complete, whether the deficiency is adequately explained or is excused by a waiver granted by the Commission under § 535.505.

(b)(1) The Commission shall reject any agreement that otherwise fails to comply with the filing and Information Form requirements of the Act and this part. The Commission shall notify in writing the person filing the agreement of the reason for rejection of the agreement. The entire filing, including the agreement, the Information Form and any other information or documents submitted, shall be returned to the filing party.

(2) Should the agreement be refiled, the full waiting period must be observed.

[49 FR 45351, Nov. 15, 1984, as amended at 61 FR 11576, Mar. 21, 1996]

**§ 535.602 Federal Register notice.**

(a) With the exception of marine terminal facilities agreements, as defined in § 535.311(a), a notice of any filed agreement which is not rejected pursuant to § 535.601 will be transmitted to the FEDERAL REGISTER within seven days of the date of filing.

(b) The notice will include:

- (1) A short title for the agreement;
- (2) The identity of the parties to the agreement and the filing party;
- (3) The Federal Maritime Commission agreement number;
- (4) A concise summary of the agreement's contents;
- (5) A statement that the agreement is available for inspection at the Commission's offices; and
- (6) The final date for filing comments regarding the agreement.

[49 FR 45351, Nov. 15, 1984, as amended at 58 FR 5631, Jan. 22, 1993]